



Broward County

Legislation Text

File #: 21-1450, Version: 1

Broward County Commission Regular Meeting

Director's Name: Andrew J. Meyers

Department: County Attorney

Information

Requested Action

MOTION TO ENACT Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO THE BROWARD COUNTY BUSINESS OPPORTUNITY ACT AND RELATING TO PROCUREMENT AND CONTRACTING OPPORTUNITIES FOR COUNTY BUSINESS ENTERPRISES; AMENDING VARIOUS SECTIONS OF CHAPTER 1 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE") ADDRESSING THE ESTABLISHMENT OF COUNTY BUSINESS ENTERPRISE ("CBE") GOALS FOR COUNTY CONTRACTS, INCLUDING LONG-TERM GROUND LEASES; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

Why Action is Necessary

A Resolution directing the County Administrator to publish notice of public hearing to consider enactment of the Ordinance was adopted by the Board of County Commissioners at its meeting of August 24, 2021.

What Action Accomplishes

Allows the Board to consider enactment of the Ordinance addressing the establishment of County Business Enterprise goals for County contracts, including long-term ground leases.

Is this Action Goal Related

Yes

Previous Action Taken

Summary Explanation/Background

This item supports the Commission Value "Ensuring economic opportunities for Broward's diverse population and businesses" and the Commission Goal "Utilize goals and policies to create employment opportunities and support for economically disadvantaged members of the community."

On February 11, 2020, the Board of County Commissioners requested that the Office of Economic and Small Business Development ("OESBD") work with the Office of the County Attorney to include County Business Enterprise ("CBE") goals in ground leases of County property that require or permit

construction and other improvements to the leased property.

Currently, the Business Opportunity Act of 2012 (the “Act”) establishes a CBE goal of at least twenty five percent (25%) participation by CBEs for County contracts resulting from a competitive solicitation, with certain exceptions. The proposed amendment, if enacted, would expand the definition of County contracts to include ground leases of County property with a duration of more than one year.

The proposed Ordinance would also modify the Act to provide additional factors that may be considered by OESBD in assessing whether a contractor made Good Faith Efforts to meet the CBE goal, and would update certain references in the Act to be consistent with the revised Broward County Procurement Code, which was recently adopted by the Board with an effective date of May 1, 2021.

Source of Additional Information

René D. Harrod, Chief Deputy County Attorney, 954-357-7600

Fiscal Impact

Fiscal Impact/Cost Summary

Per the Office of Management and Budget, the estimated impact on the budget does not exceed the threshold required for a Fiscal Impact Statement.